

TEXAS TRANSPORTATION COMMISSION

Tarrant County

MINUTE ORDER

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Fort Worth District

Transportation Code, §191.001 and §191.002 establish height requirements for structures over railroad tracks and distance requirements of structures and materials near railroad tracks. Texas Transportation Code §191.005 establishes that the Texas Transportation Commission (commission), for good cause shown, may, by order, permit a railroad company or other corporation, firm, partnership, or individual or county or municipality to deviate from a provision of the statute.

The Texas Department of Transportation (department) received an application from Attebury Grain requesting a clearance deviation at their rail served facility located at 624 Burlington Road, Saginaw, Texas 76179. The department has investigated the location to determine whether good cause could be shown and whether the deviation could be operated in a reasonable and safe manner.

In determining whether the facility has demonstrated good cause for the requested clearance deviations, the department considered:

- (1) federal and state requirements;
- (2) the safety of employees working near railroad tracks and unloading of rail cars;
- (3) limited clearances at new and existing equipment locations.

In determining whether the requested clearance deviations are reasonable and safe, the department reviewed the facility plans and site and determined the facility will include sufficient:

- (1) warning signs, pavement markings, lighting and/or other control devices to inform employees of the limited clearance location; and
- (2) safety rules, speed restrictions, operations requirements, and training to address employee safety.

Based on the investigations, the department has determined that the clearance deviations as listed in Exhibit A meet the requirements of Transportation Code §191.005 and recommends approval. The Attorney General of Texas has been notified as required by §191.005(a).

IT IS THEREFORE ORDERED by the commission that the railroad clearance deviation application from Attebury Grain for their rail served facility located in Saginaw, Texas as described in Exhibit A is approved.

Submitted and reviewed by:

Recommended by:

DocuSigned by:

Jeffrey Davis

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Director, Rail Division

DocuSigned by:

W. D. Willis

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Executive Director

116210 February 23, 2022

Minute	Date
Number	Passed

CD-2020-08-00078
Attebury Grain
624 Burlington Rd
Saginaw, Texas 76179

Number	Reduced Clearance Description	City Location	Location	Clearance	Required Minimum	Reduced Clearance	RR Stationing
1	Control Booth	Saginaw, Texas	Load Out Building	Vertical above Top of Rail	22 Feet 0 Inches	17 Feet 6 Inches	Track 1
2	Load Out Spout	Saginaw, Texas	Load Out Building	Vertical above Top of Rail	22 Feet 0 Inches	16 Feet 0 Inches	Track 1
3	Dust Hood	Saginaw, Texas	Load Out Building	Vertical above Top of Rail	22 Feet 0 Inches	16 Feet 0 Inches	Track 1
4	Control Booth	Saginaw, Texas	Load Out Building	Vertical above Top of Rail	22 Feet 0 Inches	17 Feet 6 Inches	Track 2
5	Load Out Spout	Saginaw, Texas	Load Out Building	Vertical above Top of Rail	22 Feet 0 Inches	16 Feet 0 Inches	Track 2
6	Dust Hood	Saginaw, Texas	Load Out Building	Vertical above Top of Rail	22 Feet 0 Inches	16 Feet 0 Inches	Track 2